

REMARKS

The Examiner required restriction under 35 U.S.C. § 121 to one of the following groups:

- Group I: Claims 1-12, drawn to a method of coating a medical device with a coating composition, determining the amount of coating in excess, and ablating the excess composition;
- Group II: Claims 13-28, drawn to a method of coating a medical device with two coating compositions and ablating excess of the second composition only;
- Group III: Claims 29-30, drawn to a method of measuring the thickness of a coating;
- Group IV: Claims 31-32 and 34, drawn to a method of manufacturing a medical device with a plurality of openings therein which are free of coating material by coating the device and ablating coating present in the openings of the device surface;
- Group V: Claim 33, drawn to a coated device; and
- Group VI: Claims 35-36, drawn to a method for manufacturing an expandable stent by applying coating to its struts and then using a laser to remove portions of coating on the strut surface to prevent cracking.

The Examiner further indicates that if Group II is elected, an Election of Species under the elected group is also required. The species under Group II are:

1. at least one of the first layer and the second layer to comprise a biologically active material (e.g., claim 17);
2. both layers contain a biologically active material but with differing concentration (e.g., claim 20); and
3. at least one of the two compositions is substantially free of a biologically active material, which is inclusive of both compositions being free of bioactive material (e.g., claim 18).

In response to the restriction requirement, Applicant hereby elects Group I, the subject matter of claims 1-12. Applicant fully reserves all rights to prosecute the subject matter of any non-elected group in one or more subsequent related applications.

No fee is believed to be due for this response. Should any fee be required, please charge such fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

Gidon D. Stern by:

Date: August 26, 2003

Arthur B. Lysri Reg. No. *44,516*
Gidon D. Stern 27,469
(Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Attorneys for Applicant